

**MINUTES OF A REGULAR SESSION OF THE
BOARD OF COMMISSIONERS HELD DECEMBER 3, 2012**

Comes now the hour of 9:18 A.M. on the 3rd day of December, 2012, in the Commissioners Court in the Noble County Courthouse, Albion, Indiana, being the time, date and place set for a regular session of the Board of Commissioners of Noble County, Indiana.

Present were:

Joy Y. LeCount, President
David J. (Dave) Dolezal, Vice President
Jack W. Herendeen, Member

Also present were:

Marion S. Cavanaugh, Deputy Auditor
Dennis Graft, County Attorney
Gary Leatherman, Commissioner Elect
Chad Kline, Commissioner Elect
and Scott Perry & Bob Braley, News Media

**WELLS FARGO INSURANCE – AMENDMENTS
TO HEALTH INSURANCE PLANS**

Shelley Hanson from Wells Fargo Insurance came before the Commissioners to get their approval on amendments to the health insurance plan, which were the result of decisions at a previous meeting regarding insurance renewal. Dave moved to approve the amendments. Jack seconded the motion and it carried, 3-0, (H.I.).

HEALTH DEPARTMENT MOVE TO NOBLE CO. ANNEX

Dr. Terry Gaff, who hopes to be taking over the Health Officer position at the end of Dr. Warrener's term on January 31, 2013, came before the Commissioners to discuss issues with the Health Department moving to the Noble County Annex.

Dr. Gaff said he had a few questions about the physical plan in the move to the Weber Building (Annex). He said he has no argument with the idea of being on one level and he doesn't have any big problems with the idea of moving. Dr. Gaff said the question is if we could make some adjustments to the physical plan itself to make it more amenable to the purpose. He said there are some issues about the bathrooms. Dr. Gaff said he had been told by the Building Inspector that they had been put in a long time ago, that they are cast iron, and that the drainage out there has had to be snaked out a number of times with relatively little use of the bathrooms. Joy and Jack said they weren't aware of anything like that. Dr. Gaff said he is going by what he had been told by the Building Inspector and the Head of Maintenance. Dr. Gaff told the Commissioners to feel free to check his work. He said if we are going to be bringing in a health clinic then we want to make sure that we can handle the traffic, which is an issue where they are now. Dr. Gaff said if they are going to make a move that makes it more reasonable and ideal, then why not do it up front rather than waiting and then trying to jury rig something later

on. He said his suggestion is to leave the bathrooms where they are and add a family bathroom, possibly in room 9. Dr. Gaff said there are two vaults and one is larger than the other one. He said the Clerk has the largest one. Dr. Gaff said the size of the vault in room 28 (the one that is available) is significantly smaller than the vault they have now. He said it would make more sense to displace the Clerk, and he was here to ask if that could be done to make this a more effective plan. Dave said that would be if we move the upstairs department, or the non health care portion of the Health Department. Dr. Gaff asked what would be gained by having the Health Department in two buildings. Joy said the upstairs portion didn't want to move and Cheryl (Health Department nurse) had told them what she felt was necessary and that is why the Commissioners had made the changes that they had already made.

Jack said we have a "His" and a "Hers" bathroom already. He asked why we need a family bathroom. Dr. Gaff said it would be handicapped and family accessible and would make more sense in terms of having a family clinic there. Jack asked if we have a family bathroom where they are now (South Complex). Dr. Gaff said they don't have. He said that is one of the things that make it less than ideal. Dr. Gaff said he is putting in a request for something that makes sense to him in terms of health care. He said he isn't trying to try to spend the county's money for nothing. Dr. Gaff said if there are going to be a number of families coming in there with their kids scheduling a significant number of people for the vaccination clinic and if we are using it as a health care facility, then we need to try to do our best to produce this. He said this is negotiable, and he is just making suggestions. Dr. Gaff said if we put a bathroom down that hallway it would avoid some of the traffic back to the other hallway and whatever is back there. He said room 5 could be partitioned to make two rooms. Joy asked Dr. Gaff if he was talking about where the Clerk currently is. Dr. Gaff said that was correct. Joy said there are documents from floor to ceiling in that room and there is just enough room to walk through.

Dr. Gaff also suggested putting a fence from the edge of the building closest to the train tracks to the end of the parking lot, to prevent parents from losing track of children and having them get to the railroad tracks.

Jack said it sounds to him like Dr. Gaff doesn't want the Health Department to move after all of the work the Commissioners have put into the annex. He said the Commissioners have had more feedback this morning than they have since they started planning this a year ago. Dr. Gaff said he is not opposed to the Health Department moving. He said he is saying if they have the opportunity to move then they want to do the best they can with that opportunity, and everything is negotiable. Dr. Gaff said if he is going to be involved in this in some kind of supervisory level he wanted to try to do the best he could for the department. He said he just wanted to raise the issues and not wait until later and have the Commissioners ask why he hadn't said something back when they didn't have any structural stuff done.

Dave said the Commissioners had considered a sound barrier because of the railroad track being there. Dr. Gaff said he had been in the building when trains went by and he didn't think a sound barrier was necessary. Dave said he didn't know that we would have the opportunity to put a fence there because of the property line. Dr. Gaff explained where he was asking for the fence to be placed.

Dr. Gaff asked if it would be negotiable to have any of the storage space in the back in rooms 11 and 12. Dave said he didn't think they had that committed right now. Joy said we have other people needing space. Dr. Gaff agreed. He said he didn't think the space that is presently being utilized out there is not being utilized efficiently. Joy agreed.

Dr. Gaff asked if the Health Department could potentially use the Hal Stump Conference room for overflow during clinic hours. Jack asked if that would be two days a week. Dr. Gaff said it would be. He said the time would be scheduled. He said there is not enough seating space in room 2.

Joy said she thought there is too much at stake here to waste anymore time or money doing what the Commissioners thought was going to happen. Jack moved to delay any move (of departments) until the Commissioners have time to further discuss this. Dave seconded the motion and it carried, 3-0.

MAUMEE RIVER BASIN COMMISSION - REQUEST FOR NOBLE COUNTY GIS BUILDING FOOTPRINT LAYER

The Commissioners received a copy of an e-mail from Rodney Renkenberger from the Maumee River Basin Commission (MRBC) to Steve Hook, GIS Coordinator. Steve said Rodney wants the layer that we already have with the building outlines on it. He said the problem is that it only dates back to 2003. Joy asked if he wants to bring the layer up to date. Steve said Rodney is willing to pay half of the cost to do that. Steve showed the Commissioners a map and said that Rodney is only interested in the portion of the county that flows into the MRBC watershed. He said Rodney wants to take the building outlines and do a study in the flood plain to see how much the water is going to raise up against the structures so they can come up with better mitigation practices. Steve said when he told Rodney that the layer was roughly 10 years out of date, Rodney said the MRBC had roughly \$25,000.00 set aside for Noble County that wasn't used back in 2006 for another MRBC project, and they could consider working 50/50 with the county to update the building outlines. Joy asked how we could do that without a new aerial. Steve said we could at least update them through April of 2012. Dave asked Steve if he knew what our share would be. Steve he didn't. Joy said her recommendation would be for Steve to discuss with Rodney that the latest we could update it for him would be April of 2012, and then ask him how he would see proceeding with doing that. Jack asked if DeKalb County is up to date with this and where do they stand with this. Steve said Rodney was going to approach DeKalb County about this, and they may not be as up to date as we are. Jack said to check with surrounding counties to see how up to date they are with this.

HIGHWAY BUSINESS – MARK GOODRICH UTILITY PERMITS

Mark presented the following utility permits: #UP-073-12 from Frontier Communications for work on Quiet Road west of North Mountain Lake Road at the Jeremy Agler residence; #UP-074-12 from Centurylink for work on 900 E Hill Road between CR 100 N and Baseline Road in Allen Township at the Thomas Ries residence; #UP-75-12 from Noble REMC for work on CR 975 W between CR 75 N and Baseline road in Sparta Township; and #UP-076-12 from Noble REMC for work on CR 1100 W between CR 1100 N and 1025 N in Perry Township, (H.I.).

DOORS FOR SHEDS & TRIM FOR TRUCK BUILDING

Mark told the Commissioners that he has money available to put a new overhead door on the mower shed, slider door and an entry door on the grade-all shed, and to put new trim on the truck building. He presented an estimate in the amount of \$3,407.41 from Irving Materials, Inc., (H.I.). After some discussion Jack asked if there would be money left for the new "Highway

Department" sign. Mark said he hadn't checked into any signs yet. He said they could cut some wood letters like they have now. After further discussion Jack moved to approve fixing all of the doors, if they can get the clearance they need on the overhead door. Dave seconded the motion and it carried, 3-0.

PURCHASE OF NEW JACKETS

Mark showed the Commissioners a class 3 jacket that he would like to purchase for his crew that has a light insulation and is on sale for \$30.00 right now. Mark said they are waterproof and they would be good for day or night. He said the employees wouldn't have to worry about wearing safety vests with these jackets.

Jack moved to approve the purchase. Dave seconded the motion and it carried, 3-0.

STORM GUARD SYSTEM ON TRUCK #7

Mark said the electronic board on the storm guard system on truck #7 is bad and a new one is between \$1800.00 & \$1900.00. He said they can get a used one for \$950.00. Jack asked if it would be installed and Dave asked if it would be guaranteed. Mark said we would install it and if there were any problems with it when we put it on W.A. Jones would take care of it. Mark said he would take the bad one and see if they can get it fixed so we have an extra one.

Jack moved to approve the purchase of the used electronic board. Dave seconded the motion and it carried, 3-0.

TRUCK #14 – OIL PAN

Mark reported that truck #14 has a bad oil pan again and he would like permission to purchase a stainless steel one in the amount of \$1350.00. Dave moved to purchase a stainless steel after market oil pan for truck #14. Jack seconded the motion and it carried, 3-0.

PURCHASE ORDER FROM STOOPS FREIGHTLINER- QUALITY TRAILER, INC. - 2014 TRUCK SINGLE AXLE

Mark presented the above referenced purchase order in the amount of \$159,658.00. He said they had originally quoted a 2013 truck but this will be a 2014 truck, because they are changing the lines over at the beginning of the year. Dave asked if that would affect the price. Mark said it doesn't. He said it is approximately \$320.00 higher than the original bid because he and Doug had talked to them and added a couple of things.

Jack moved to approve the purchase order. Dave seconded the motion and it carried, 3-0.

TIRES, BLADES, DIESEL FUEL

Mark said he would like to have some flexibility to purchase tires and blades that would be in excess of \$500.00. After further discussion Mark said he would be looking at about \$20,000.00 total for the tires and blades. Dave moved to approve up to \$20,000.00 for the purchase of carbide blades and tires. Jack seconded the motion and it carried, 3-0.

RADIO SWITCH OVER

Mark said J & K would be here on December 14th to switch over their radios.

JANITOR

Mark said he hired Kerry Weber to be the part time janitor. He said she had done part-time work for Shelley (Recorder) and she highly recommended her. Mark said she lives in town and she interviewed well.

BRIDGE #134 - LETTER TO CSX

After some discussion Dave moved to start the process to send a letter to the CSX railroad requesting that they pick up the cost (that the county has had to this point on the Bridge #134 project). Jack seconded the motion and it carried, 3-0.

RECESSED AND RECONVENED

The Commissioners recessed their meeting at approximately 10:20 A.M. and reconvened at approximately 10:29 A.M.

SPEED LIMIT ORDINANCE RE: CR 600 W & CR 600 S IN NOBLE TOWNSHIP

Present for this portion of the meeting were: Lee Simmonds and David White, Loon Lake Property Owners Association Board Member.

Joy said we have proof of publication from the Albion and Kendallville Newspapers. She then read the ordinance aloud, (H.I.). The ordinance outlines the portions of the roads that would be reduced to a 30 mile per hour speed limit.

Dave moved to approve the ordinance. Jack seconded the motion and it carried, 3-0.

HEALTH DEPARTMENT FAX MACHINE AND COMPUTER PROBLEMS

Linda Gray from the Health Department reported that their fax machine isn't working since they switched the phones around. She said it comes in on her e-mail, but she cannot fax paperwork out, and she needs to do that because of cremations, etc. Linda said she has been going down stairs to the Extension Office to fax. She said she had talked to Dave Baum about it several different times and they had put some gadgets on it but it still doesn't work. Linda said what she would like to do is to switch it back the old way where they get paper faxes until they get things worked out. She said from what she understands it would cost \$50.00 a month.

After further discussion Jack moved to approve Linda's request. Dave seconded the motion and it carried, 3-0.

Linda said she has another problem lately where she can't have more than one program open at a time, and when she downloads the birth and death records from the state the computer jams up. She said John Mays said he would talk to Dave Baum and possibly get a new router. The Commissioners will talk to Dave Baum, IT when he is here later this morning.

CLAIMS APPROVED

The Commissioners reviewed the claims to be paid today's date and got answers to their questions. They also reviewed the claims that are paid as needed to avoid penalties, such as utilities. Dave moved to approve the claims. Jack seconded the motion and it carried, 3-0.

WEIGHTS & MEASURES REPORT 10/15/12 - 11/15/12

The Commissioners received the above referenced report, (H.I.).

**GERALD D. WARRENER, M.D. – RESIGNATION
FROM NOBLE COUNTY HEALTH OFFICER POSITION**

The Commissioners received notice from Dr. Gerald D. Warrener that he will be resigning as Noble County Health Officer effective January 31, 2013, (H.I.). Joy said Dr. Terry Gaff has expressed his desire to take over the position and that appointment will be made later.

ST. JOSEPH RIVER BASIN COMMISSION – THANK YOU

The Commissioners received a thank you letter for the \$500.00 the county contributed to the St. Joseph River Basin Commission for 2012, (H.I.).

**INDIANA PIPELINE AWARENESS ASSOCIATION
ANNUAL PIPELINE SAFETY PROGRAM**

The Commissioners received notice of an annual pipeline safety program that will be held January 15, 2013 at the Shiloh Hall in Fort Wayne, (H.I.). Joy said we do have 2 major pipeline terminals that are close to the roads and they are located on US 6 west of 525 W and SR 5 & 900 N.

**NEWELL INDUSTRIAL, LLC - INVOICE
FOR WINDOWS AT SOUTH COMPLEX**

The Commissioners received the above referenced invoice in the amount of \$1,875.00 for the remainder of the windows that were replaced at the South Complex, as well as a copy of the total amount of the window replacement which was \$9,575.00, (H.I.).

PUBLIC OFFICIAL BONDS

The Commissioners received public official bonds for Jackie Knafel, Auditor; Michelle Mawhorter who will be the Clerk in 2013; and Kim Miller, Assessor. Jack moved to approve all three bonds. Dave seconded the motion and it carried, 3-0.

MINUTES APPROVED

After reviewing the following minutes the Commissioners took the following action: **November 26, 2012 executive session** – Approved 3-0 from a motion made by Jack and seconded by Dave; **May 1, 2006** Jack said they were correct to the best of his recollection. Joy moved to approve them. Dave seconded the motion and it carried, 3-0; **November 26, 2012** – Dave moved to approve the minutes as amended. Jack seconded the motion and it carried, 3-0.

TOWN OF ALBION – PLAN COMMISSION APPOINTMENT

The Commissioners received notice from the Town of Albion that Scott Cole's term on the Albion Commission will expire on January 7, 2013 and that he desires to be reappointed, (H.I.). Dave moved to approve the reappointment. Jack seconded the motion and it carried, 3-0.

ANNUAL CERTIFICATION OF ELECTED OFFICIAL

**RE: COMPLIANCE WITH COUNTY CONTRACT
DISCLOSURE POLICY**

Auditor Jackie Knafel presented the above referenced certifications, one for each Commissioner, which the Commissioners signed, (H.I.).

**WE CARE TLC – CONTRACT CHANGE
RE: REDUCED PRESCRIPTION FEES**

The Commissioners received a contract change form from We Care indicating that Noble County will reduce the clinic price for each prescription medication from \$4.00 to \$2.00 beginning January 1, 2013, (H.I.). Dave moved to approve it. Jack seconded the motion and it carried, 3-0.

**TRANSFER OF OWNERSHIP OF RETIRED 2000 FORD
AMBULANCE TO ORANGE TOWNSHIP FIRE DEPARTMENT**

Dennis had prepared an agreement for the transfer of ownership of the above referenced ambulance to the Orange Township Fire Department, (H.I.). Joy read the agreement aloud. Dave moved to approve it. Jack seconded the motion and it carried, 3-0.

TAX SALE PROPERTIES THAT DID NOT SELL

Sheri Auld, Deputy Auditor in charge of the tax sale came before the Commissioners to discuss properties that didn't sell at the tax sale that are now available for the County to take title to if they choose to do so. Sheri said she talked to the City of Kendallville and they do not want to take title to any of the properties that are in Kendallville. There was discussion that if the Commissioners take title to any of the properties, all expenses including the taxes, delinquent sewer assessments, etc. would be wiped clean. Sheri and the Commissioners went through the properties one by one and discussed whether surrounding landowners would be interested in the property if the Commissioners acquired it. They also discussed any special circumstances that pertained to each property. Joy asked Sheri to send letters to surrounding landowners for those properties that the Commissioners had specified, to see if anyone would be interested in them. The whole list did not get completed and it will be finished next week.

During the discussion, Sheri reported that she had been able to find in the death records that some of the property owners on the list were deceased.

**SHERRY LABORATORIES - RESIDENTIAL WELL
TESTING & GAS MONITORING RE: LANDFILL**

The Commissioners received copies of the Residential Well Testing results and the Second Quarter Gas Monitoring Report having to do with the landfill. See landfill file.

**DAVE BAUM, IT BUSINESS - JOHN MAYS CONTRACT-
OFFICE EQUIPMENT NEEDED - HEALTH DEPT. FAX**

Dave Baum, Information Technologist presented a new contract he had prepared for John Mays, one of his employees, (H.I.). When asked, Dave said he is paid out of "Professional Services". Dave said he raised John's pay a little bit. He said he is still paid about 15 - 20% less than David (Janssen, another IT employee) and he has no benefits. After further discussion Jack moved to approve the contract. Dave seconded the motion and it carried, 3-0.

Dave Baum presented the Commissioners with a list of office equipment needs for 2013, and his approximate cost of \$32,000.00 for the equipment, (H.I.). Jack moved to approve the list of purchases. Dave Dolezal seconded the motion and it carried, 3-0.

Joy told Dave Baum about the discussion with Linda from the Health Department regarding the fax machine. Dave said they are trying to resolve the issue. He said some of the problems are related to the fax equipment they have and some of them are line related. Dave said the line problems are common to everybody. He said he doesn't have a problem putting in an analog line somewhere, except that it is a \$50.00 (a month) expense, and where is he going to put it.

Joy said the question the Commissioners have is that it was working until we got the new phone system and now it isn't working. Dave said that is an issue with faxes and the digital phone systems. He said they have had discussions with a lot of different people about that because that is unfortunately the nature of digital phone systems. Dave said fax is a dead technology. He said in-bound faxes work great, and it is just that sometimes Linda can't send faxes, and sometimes it is because the system she is sending to doesn't like her fax machine, and even with an analog line it wouldn't work. Joy said apparently she could before. Dave said not to that destination with that fax machine. He said it is a time out problem with the fax, not the phone lines. Dave said about 5 – 10% of all faxes that we send out with this system here that are on the digital system will have a failure, and usually re-trying once or twice clears the problem up. He said there is an analog fax in the Auditor's Office that will always be available to anybody just like the postage machine is. Joy said Linda can send from a different location in the same building. Dave said everyone in that building is all digital. He said there are no analog lines in that building. Dave asked if Purdue (Extension Office) was digital too. Dave said they are. He said a part of it is the fax machine that the Health Department bought several years ago without consulting him. Joy said there is a problem now that we didn't have before we got the new phone system and she asked how we fix it. Dave said we have alternate fax machines they can use if theirs fail. He said they have to contact IT if they are having a problem so they can fix it. Dave said they have worked through fax issues with various offices.

Dave Dolezal said Linda had come in and got approval to spend \$50.00 a month and that won't necessarily solve the issue then. Dave Baum said it will resolve some of them but not all of them.

Jack asked what the difference would be if Linda went to the Extension Office and it works. Dave Baum said the only difference would be the fax machine, because they are in a digital system there. He said they took out all of the analog lines down there (South Complex). Joy asked Dave Baum to talk to Linda to try to get this resolved and find a permanent fix.

CONFERENCE CHAIRS AT PROSECUTOR'S OFFICE

Marion reported that Al Engle, a county employee said there are some conference chairs in the basement of the Prosecutor's Office and he is interested in two of them for his church and he asked if they are available and at what price. Joy said she would have to go look at them to see what the price would be.

ADJOURNMENT

This session of the Board of Commissioners of Noble County was at approximately 12:14 P.M. recessed from day to day until the 10th day of December 2012.

Joy Y. LeCount, President

David J. Dolezal, Vice President

Jack W. Herendeen, Member

ATTESTED: _____
Jacqueline L. Knafel, Auditor